

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JACQUELYN WHITE,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONAL SERVICES,  
("DOCS"), STATE OF NEW YORK, et al.,

Defendants.

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

Index No.: 08 CV 0993

AFFIDAVIT OF SERVICE  
OF SUMMONS  
AND COMPLAINT

JOHN MICHAEL DEVITO, being duly sworn deposes and says: that deponent is not a party to his action, is over 18 years of age and resides at Farmingdale, NY 11735. That on March 5, 2008 at 12:54 p.m. at 31 W. 110<sup>th</sup> Street, New York, New York 10026, deponent served the within Summons and Complaint on defendant LT. ROBERT MURRAY therein named.

1. X INDIVIDUAL by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
2. \_\_\_\_\_ CORPORATION a domestic corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be AUTHORIZED TO ACCEPT thereof
3. \_\_\_\_\_ SUITABLE AGE PERSON by delivering thereat a true copy of each to a person of suitable age discretion. Said premises is defendant's - dwelling house - usual place of abode - within the state.
4. \_\_\_\_\_ AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is defendant's - actual place of business - dwelling house - usual place of abode - within the state. Deponent was unable with due diligence to find defendant or a person of suitable age and discretion, thereat having called there

\_\_\_\_\_ MAILING  
use with 3 or 4  
(if applicable)

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addresses to defendant at defendant's last known residence, at and deposited said wrapper in - a post office - depository under exclusive care and custody of the United States Postal Service within New York State.

**MAILED IN AN ENVELOPE MARKED PERSONAL AND CONFIDENTIAL**

\_\_\_\_\_ DESCRIPTION Deponent describes the individual served as follows:

1 or 3

<u>X</u> Male	<u>X</u> White Skin	_____ Black Hair	_____ 14-20 Yrs.	_____ Under 5'	_____ Under 100 lbs.
_____ Female	_____ Black Skin	_____ Brown Hair	_____ 21-35 Yrs.	_____ 5'0" - 5'3"	_____ 100-130 lbs.
	_____ Brown Skin	_____ Blond Hair	<u>X</u> 36-50 Yrs.	<u>X</u> 5'4" - 5'8"	<u>X</u> 131-160 lbs.
		<u>X</u> Gray Hair	_____ 51-65 Yrs.	_____ 5'9"-6'0"	_____ 161-200 lbs.
		_____ Red Hair	_____ Over 65 Yrs.	_____ Over 6'	_____ Over 200 lbs.
		_____ White Hair			
		_____ Balding	<u>X</u> Mustache		

Sworn to before me on March 11, 2008

*[Signature]*

SHERYL A. SERRANO  
Notary Public, State of New York  
No. 01SE6090996  
Qualified in Nassau County  
Commission Expires April 21, 2011

*[Signature]*  
JOHN MICHAEL DEVITO